

Amendments to Senate Bill No. 164
3rd Reading Copy

Requested by Senator Debby Barrett

For the House Fish, Wildlife and Parks Committee

Prepared by Doug Sternberg
March 26, 2009 (1:34pm)

1. Title, line 13.

Following: "WATER;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

Following: "SECTIONS"

Insert: "17-7-502,"

2. Title, line 14.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

3. Page 1, line 17.

Insert: "Section 1. Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition --
requisites for validity.** (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following
provisions:

(a) The law containing the statutory authority must be
listed in subsection (3).

(b) The law or portion of the law making a statutory
appropriation must specifically state that a statutory
appropriation is made as provided in this section.

(3) The following laws are the only laws containing
statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403;
7-4-2502; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310;
10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-23-706;
15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121;
15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212;
17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319;
19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512;
19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107;
20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202;
23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612;
23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011;
42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109;
53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870;
75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 77-1-108;

77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161;
[section 5]; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and
 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; and pursuant to sec. 6, Ch. 2, Sp. L. September 2007, the inclusion of 76-13-150 terminates June 30, 2009.)"

{Internal References to 17-7-502:

x 2-17-105	5-11-120	5-11-407	5-13-403
7-4-2502	10-1-1202	10-1-1303	10-2-603
10-3-203	10-3-310	10-3-312	10-3-312
10-3-314	10-4-301	15-1-121	15-1-218
15-23-706	15-31-906	15-35-108	15-36-332
15-37-117	15-39-110	15-65-121	15-70-101
15-70-369	15-70-601	16-11-509	17-1-508
17-3-106	17-3-212	17-3-222	17-3-241
17-6-101	17-7-304	17-7-501	18-11-112
19-3-319	19-6-404	19-6-410	19-9-702
19-13-604	19-17-301	19-18-512	19-19-305
19-19-506	19-20-604	19-20-607	19-21-203
20-8-107	20-9-534	20-9-622	20-26-1503
20-26-1503	22-3-1004	23-4-105	23-4-202
23-4-204	23-4-302	23-4-302	23-4-304
23-5-306	23-5-409	23-5-612	23-7-301
23-7-402	37-43-204	37-51-501	39-71-503
41-5-2011	42-2-105	44-1-504	44-12-206
44-13-102	50-4-623	53-1-109	53-6-703
53-24-108	53-24-108	53-24-206	60-11-115
61-3-415	69-3-870	75-1-1101	75-1-1101
75-5-1108	75-6-214	75-10-622	75-11-313
76-13-150	77-1-108	77-2-362	80-2-222
80-4-416	80-5-510	80-11-518	82-11-161
87-1-513	90-1-115	90-1-115	90-1-205
90-3-1003	90-9-306 }		

Renumber: subsequent sections

4. Page 2, line 21.
Following: "control"
Strike: "as the first priority"
5. Page 3, line 17.
Following: "control"
Strike: "as the first priority"
6. Page 4, line 5.
Following: "subsection"
Insert: ", except acquisitions made solely with funds provided under 87-1-242(1),"
7. Page 4, line 7.
Following: "PRICE"
Insert: "or \$300,000, whichever is less,"
8. Page 6, line 8.
Following: "ACCOUNT"
Insert: "-- annual report"
Following: "ACCOUNT."
Insert: "(1) "
9. Page 6, line 9.
Following: "FUND."
Strike: "PURSUANT" through "PRICE"
Insert: "In addition to the funds"
10. Page 6, line 10.
Following: "DEPARTMENT"
Strike: "MUST BE DEPOSITED IN THE ACCOUNT."
Insert: "pursuant to 87-1-209(1), the department shall also deposit into the maintenance account:
 (a) funds dedicated for development and maintenance of real property used for wildlife habitat under 87-1-242(4) (a);
 (b) interest earned on the account; and
 (c) any other money that the department considers appropriate or necessary for maintenance of the department's land or water.
 (2) "
11. Page 6, line 11.
Following: "ACCOUNT"
Insert: "are statutorily appropriated to the department and "
12. Page 6, line 12.
Following: "DEPARTMENT."
Strike: remainder of line 12
Insert: "(3) (a) The department shall provide an annual report

regarding deposits into and withdrawals from the account established in subsection (1) to the oversight subcommittee of the environmental quality council for the purpose of demonstrating the use of funds in the account toward the good neighbor policy.

(b) The report must describe the types of maintenance completed by property and maintenance plans for the subsequent fiscal year.

(c) The report is due to the environmental quality council by September 1 following the end of each fiscal year."

13. Page 6, line 14.

Following: "SECTION"

Strike: "4"

Insert: "5"

14. Page 6, line 16.

Strike: "4"

Insert: "5"

15. Page 6, line 19.

Insert: "NEW SECTION. Section 8. Termination. [This act] terminates June 30, 2013."

- END -